

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

GARY W. ROADARMEL,

Plaintiff,

v.

JARED LEE HOPKINS,

Defendant.

Case No. 1:19-cv-445

HON. JANET T. NEFF

OPINION AND ORDER

Plaintiff, proceeding pro se, initiated this action in June 2019 under 42 U.S.C. § 1983. Defendant filed a motion for summary judgment in July 2019. The matter was referred to the Magistrate Judge, who issued a Report and Recommendation (R&R), recommending that Defendant's motion be granted and this case terminated. The matter is presently before the Court on Plaintiff's objections to the Report and Recommendation. Defendant did not respond to the objections. In accordance with 28 U.S.C. § 636(b)(1) and FED. R. CIV. P. 72(b)(3), the Court has performed de novo consideration of those portions of the Report and Recommendation to which objections have been made. The Court denies the objections and issues this Opinion and Order.

The Magistrate Judge recommends that Defendant's motion be granted because Plaintiff failed to present any evidence identifying state action in support of his § 1983 claim (R&R, ECF No. 15 at PageID.213). Alternatively, the Magistrate Judge recommends that Defendant's motion be granted on the ground that Plaintiff lacks standing to pursue his claim, thus depriving the Court of jurisdiction to hear this matter (*id.* at PageID.215). Plaintiff's objections wholly fail to

address—let alone identify error in—the bases for the Magistrate Judge’s recommendation. Therefore, the Court denies Plaintiff’s objections and approves and adopts the Report and Recommendation as the Opinion of the Court. Further, the Court will enter a Judgment consistent with this Opinion and Order.

Therefore:

IT IS HEREBY ORDERED that Plaintiff’s Objections (ECF No. 19, as supplemented by ECF No. 21) are DENIED and the Report and Recommendation of the Magistrate Judge (ECF No. 15) is APPROVED and ADOPTED as the Opinion of the Court.

IT IS FURTHER ORDERED that Defendant’s Motion for Summary Judgment (ECF No. 10) is GRANTED for the reasons stated in the Report and Recommendation.

IT IS FURTHER ORDERED that Plaintiff’s Motion to Appoint Counsel (ECF No. 2) is DENIED.

IT IS FURTHER ORDERED that Plaintiff’s Motion for Order named as “Request for Polygraph Testing” (ECF No. 3) is DENIED.

IT IS FURTHER ORDERED that Plaintiff’s Motion for Hearing (ECF No. 8) is DENIED.

IT IS FURTHER ORDERED that Plaintiff’s Motion for Order named as “Motion Filed by Fed.R.Civ.Pro. Rule 56(c)(4)” (ECF No. 23) is DENIED.

Dated: February 27, 2020

/s/ Janet T. Neff

JANET T. NEFF
United States District Judge